



**DEPARTMENT OF JUSTICE  
NEW CASTLE COUNTY  
820 NORTH FRENCH STREET  
WILMINGTON, DELAWARE 19801**

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July 19, 2007

Clerk of the U.S. District Court  
U.S. Courthouse  
844 N. King Street  
Wilmington, DE 19801

**RE: Berry v. State of Delaware**  
C.A. No. 06-217-GMS

Dear Clerk:

Please be advised that the defendant does not oppose plaintiff's motion (D.I. 31) for a reasonable extension of time to respond to our pending amended motion (D.I. 30).

As to plaintiff's application for the appointment of counsel, defendant has no position.

If you have any questions, please contact me.

Very truly yours,

/s/ Marc P. Niedzielski  
Marc P. Niedzielski  
Deputy Attorney General

cc: Ms. Jacqueline D. Berry  
20 Hickory Lane  
Dover, DE 19904